

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES

VS

KIRK RINALDI

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NO. 03-CR-10385-RGS

**MOTION OBJECTING TO GOVERNMENT'S
REQUEST FOR PROTECTIVE ORDER**

In a recent communication from the government the defendant was informed that it intends to request the court for a protective order relating to certain unspecified pretrial discovery. Based upon pretrial discovery material recently provided to the defendant, some of which was provided to conform to *Brady* and *Giglio* requirements, it is reasonably concluded that the government's request for the protective order may involve an attempt to suppress additional *Brady* and *Giglio* material in its possession which would relate to negative and derogatory background and conduct of certain of the government's expected trial witnesses, which evidence could manifestly affect credibility issues of those witnesses during the trial, the absence of which would be of great prejudice to the defendant and infringe upon his rights of due process.

The defendant moves, therefore, that the court allow the defendant to examine and inspect the material the government is alluding to in its request for a protective in order that a full and complete objection may be submitted thereto and to protect his appellate rights.

The defendant moves, alternatively, that court deny the government's request for a protective order.

May 31, 2007

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